APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,265	12/29/2000	Dushyant Sharma	6583	8959

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EXAMINER
AKINTOLA, OLABODE

ART UNIT	PAPER NUMBER
3691	

NOTIFICATION DATE	DELIVERY MODE
07/16/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

IPAdmin@reinhartlaw.com

	Application No.	Applicant(s)
Office Action Summary	09/751,265	SHARMA, DUSHYANT
	Examiner	Art Unit	
	OLABODE AKINTOLA	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>03 June 2010</u>.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-20</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-20</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some * c) ☐ None of:
   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____.
   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06) Office Action Summary Part of Paper No./Mail Date 20100614

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on June 3, 2010 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness
         or nonobviousness.

Claims 1-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Haseltine et al (US 6578015) ("Haseltine") in view of Hutchison et al (USPAP 20050192896)

and further in view of Ensel et al (US 6493685).

Re claim 1: Haseltine teaches an electronic bill presentment and payment system, comprising: a

database capable of storing data relating to a plurality of bills sourced from a plurality of billers,

and corresponding to a plurality of consumers (col. 3, lines 1-18; col. 4, lines 53-61); a bill data

processor coupled to said database, said bill data processor configured to convert data received

from said plurality of billers into a format compatible with said database (abstract; col. 3, lines 1-

18; col. 11, lines 34-39); a bill report processor coupled to said database, said bill report

processor configured to allow at least some of said plurality of billers to review and obtain

reports in real time from data relating to said billers and the status of said biller's bills stored in

said database (col. 12, lines 22-26; col. 6, lines 11-24; col. 7, line 15 through col. 8, line 64, figs.

4 ("*status table*") and 5); a bill security element which prohibits access to said database by any

entity not having encrypted access to said database (col. 4, lines 57-67; col. 6, lines 7-10; col. 13,

lines 15-22); and a portal interface element configured as a secure personalized portfolio and

paying electronic bills coupled to said database, said portal interface element configured to

access a plurality of visual interfaces each associated with a different web portal or bill

presentment and payment website, each visual interface being associated with a web portal or

bill presentment and payment website different from other of said visual interfaces, each of said

visual interfaces configured to allow a consumer to review and pay said consumer's bills and

thereby change information in said database with the secure personalized portfolio only if said

consumer has been authorized to access said database by a verifier (col. 9, lines 52-60; col. 10

lines 44-65; col. 11, lines 31-47).

Haseltine does not explicitly teach the features of allowing billers to review and obtain reports

after authentication of the merchant identification number as recited in the claim; and

authorization to access said database provided by a credit verifier. However, Haseltine teaches

that billers log onto the system 400 (col. 6, line 24-25).

Hutchison teaches a closed system comprising registered merchants and consumers in which

parties are identified and authenticated to ensure security (abstract, paragraphs 0013, 0048

"*merchant authenticator component*"); and authorizing access to said database by a credit

verifier (paragraph 0094). It would have been obvious to one of ordinary skill in the art at the

time o the invention to modify Haseltine to include this step as taught by Hutchison. One would

have been motivated to do so to prevent unauthorized access to said database and for account

creation purposes respectively.

Haseltine and Hutchison do not explicitly teach that the portal interface is configured by an

individual consumer and is accessed and viewed by the consumer on any device in any location

in actual, electronic or virtual space, using any network or communication system.

Ensel teaches a portal interface configured by a consumer and is accessed and viewed by the

consumer on any device in any location in actual, electronic or virtual space, using any network

or communication system (col. 3, line 66 through col. 4, line 16; col. 9, lines 56-67, fig. 1,

element 50). Therefore, it would have been obvious to one of ordinary skill in the art at the time

of the invention to modify Haseltine to include this feature as taught by Ensel for the obvious

reason of allowing the consumer to access the bills from any channel(s) selected by the

consumer, thereby enhancing the flexibility of the system.

Re claim 2: Haseltine teaches a bill payment processor configured to communicate with a

plurality of financial institutions in order to couple said financial institutions to said database in

order to facilitate payment of bills (col. 11, lines 31-53).

Re claim 3: Haseltine teaches a bill payment processor configured to communicate with a

plurality of payment facilitators in order to couple said payment facilitators to said database in

order to facilitate payment of bills (col. 11, lines 47-53).

Re claim 4: Haseltine does not explicitly teach wherein said bill security element uses a third

party credit verifier as said credit verifier. Hutchison teaches this feature at paragraph 0094. It

would have been obvious to one of ordinary skill in the art at the time o the invention to modify

Haseltine to include this step as taught by Hutchison. One would have been motivated to do so

for account creation purposes.

Re claim 5: Haseltine teaches wherein said portal interface element is adapted to employ HTML

transmissions (col. 5, lines 15-16).

Re claim 6: Haseltine teaches wherein said portal interface element uses XML transmissions

(col. 5, lines 28-30).

Re claim 7: Haseltine further teaches wherein each said consumer is authorized access to said

database by a verifier during a particular consumer session on said visual interface only after an

interactive session between said electronic bill presentment and payment system and said verifier which occurs during said consumer session (col.11, lines 31-46; col. 5, lines 37-49; col. 4, lines 57-67, col. 6, lines 7-10).

Haseltine does not explicitly teach a credit verifier. Hutchison teaches this feature at paragraph 0094. It would have been obvious to one of ordinary skill in the art at the time o the invention to modify Haseltine to include this step as taught by Hutchison. One would have been motivated to do so for account creation purposes.

Re claim 8: Haseltine teaches an electronic bill presentment and payment system, comprising: a database capable of storing data relating to a plurality of bills sourced from a plurality of billers, and corresponding to a plurality of consumers (col. 3, lines 1-18; col. 4, lines 53-61); a bill data processor coupled to said database, said bill data processor configured to convert data received from said plurality of billers into a format compatible with said database (abstract; col. 3, lines 1-18; col. 11, lines 34-39); a bill report processor coupled to said database, said bill report processor configured to at least some of said plurality of billers to review and obtain reports in real time from data relating to said billers and the status of said biller's bills stored in said database (col. 12, lines 22-26; col. 6, lines 11-24; col. 7, line 15 through col. 8, line 64, figs. 4 ("*status table*") and 5); a bill security element which prohibits access to said database by any entity not having encrypted access to said database (col. 4, lines 57-67; col. 6, lines 7-10; col. 13, lines 15-22); and a portal interface element coupled to said database, said portal interface element being capable of supporting a plurality of visual interfaces each associated with a

different web portal or bill presentment and payment website, each visual interface being

supported by a web portal or bill presentment and payment website different from other of said

visual interfaces, wherein said portal interface element is adapted to prompt said consumer, via

said visual interface, for logon information and to receive from the consumer, via said visual

interface, logon information which is used to initiate an interactive session via said bill security

element with a verifier to obtain authorization for said database, whereupon if authorization from

said verifier is received from said verifier, said portal interface element is adapted to allow said

consumer to access information in said database in order to pay bills (col. 9, lines 52-60; col. 10

lines 44-65; col. 11, lines 31-47, col.5, lines 13-15, col.6, lines 9-13).

Haseltine does not explicitly teach the features of allowing billers to review and obtain reports

after authentication of the merchant identification number as recited in the claim; and

authorization to access said database provided by a credit verifier. However, Haseltine teaches

that billers log onto the system 400 (col. 6, line 24-25).

Hutchison teaches a closed system comprising registered merchants and consumers in which

parties are identified and authenticated to ensure security (abstract, paragraphs 0013, 0048

"*merchant authenticator component*"); and authorizing access to said database by a credit

verifier (paragraph 0094). It would have been obvious to one of ordinary skill in the art at the

time o the invention to modify Haseltine to include this step as taught by Hutchison. One would

have been motivated to do so to prevent unauthorized access to said database and for account

creation purposes respectively.

Re claim 9: Haseltine teaches wherein said consumer may use any one of a plurality of different ones of said visual interfaces to receive and pay bills (col. 11, lines 31-47).

Re claim 10: Haseltine teaches wherein said portal interface element is adapted to allow said consumer to use said visual interface on its associated website to review and pay a plurality of bills from a plurality of billers (col. 11, lines 31-47).

Re claim 11: Haseltine teaches wherein said customer uses bill report processor with one of said visual interfaces on a website to inquire online about the status of at least one bill, said inquiry being conveyed by said system to the particular biller (col. 6, lines 11-24).

Re claim 12: Haseltine teaches wherein said bill data processor establishes an interactive session between said consumer and the particular biller (col. 6, lines 22-29).

Re claim 13: Haseltine teaches wherein said bill payment processor is configured for said consumer to pay bills using a credit card (col. 9, lines 29-30).

Re claim 14: Haseltine teaches wherein said bill report processor is configured for said consumer to receive reports from said system (col. 3, lines 39-44).

Re claim 15: Haseltine teaches wherein said bill report processor configured for said system to automatically notify a biller when a consumer has paid a bill (col. 3, lines 46-52; col. 12, lines 37-40).

Re claim 16: Haseltine teaches wherein said bill data processor is adapted to allow a biller to modify, online, the format in which a bill is presented to said consumer on said visual interface (col. 8, lines 54-57col. 9, lines 35-44).

Re claim 18: Haseltine teaches wherein said bill report processor configured for said consumer to select for review bills coming due on a certain date (col. 16, lines 23-27).

Re claim 19: Haseltine teaches wherein said bill report processor configured for said consumer to select for review bills overdue (col. 7, lines 55-58; col. 8, lines 8-18).

Re claim 20: Haseltine teaches wherein said portal interface element configured for said consumer to pay bills from a plurality of different visual interfaces, each on a different site (col. 2, lines 38-43; col.10, lines 44-65).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haseltine in view of Hutchison in view of Ensel and further in view of Kamen et al (US 6421067) ("Kamen").

Re claim 17: Haseltine does not explicitly teach wherein said portal interface element is configured for said consumer to modify, online, the format in which a bill is presented to said consumer on said visual interface. Kamen teaches wherein said portal interface element is configured for said consumer to modify, online, the format in which information is presented to said consumer on a visual interface. It would have been obvious to one of ordinary skill in the art at the time o the invention to modify Haseltine to include this step as taught by Kamen. One would have been motivated to do so in order to allow the user adjust the font size according to user's visually capability and/or discretion.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLABODE AKINTOLA whose telephone number is (571)272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Olabode Akintola/
Primary Examiner, Art Unit 3691